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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,151	07/27/2000	TOSHIHARU KONDOU	450108-02174	6991

20999 7590 06/04/2004

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

TRAN, THAI Q

ART UNIT	PAPER NUMBER
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2615

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DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/601,151

Applicant(s)

KONDOU ET AL.

Examiner

Thai Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-6, drawn to an editing apparatus/method for editing material data recorded on a tape-shaped recording medium having data registering means/step for registering said material data, read out from said tape-shaped recording medium according to the detection of said marker by said fast access means, onto a given file and edit list making means/step for making an edit list of said material data using said material data displayed.

Group II, claim(s) 7-10, drawn to an editing apparatus/method for editing material data recorded on a tape-shaped recording medium having material data update means/step for making an access to said tape-shaped recording medium at a lower access speed than that of said fast access means and reading out said material data at the position coincident with the recorded one of the marker, which data are replaced with said approximate material data incorporated in said storage means and in which the editing operation is carried out using said material data updated.

Group III, claim(s) 11-16, drawn to an editing apparatus/method for editing material data recorded on a tape-shaped recording medium having data registering means/step for registering said marker detected by said fast access means onto a give file and editing list making means/step for making out an edit list of said material data on the basis of said marker registered on said file.

Group IV, claim(s) 17-20, drawn to an editing apparatus/method for editing material data recorded on a tape-shaped recording medium having time code storage means/step for storing the time code at the detected time of said marker and material data holding means/step for holding said material data which are played back from said tape-shaped recording medium when said marker is detected so that an edit list of said material data is made out by using said time codes stored according to said markers and said material data.

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2. The inventions listed as Groups I-IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Invention I has unique inventive concept such as registering said material data, read out from said tape-shaped recording medium according to the detection of said marker by said fast access means, onto a given file and for making an edit list of said material data using said material data displayed **which is different from the inventive concept** of making an access to said tape-shaped recording medium at a lower access speed than that of said fast access means and reading out said material data at the position coincident with the recorded one of the marker, which data are replaced with said approximate material data incorporated in said storage means and in which the editing operation is carried out using said material data updated of **Group II or different from the inventive concept** of registering said marker detected by said fast access means onto a give file and making out an edit list of said material data on the basis of said marker registered on said file **of Group III or different from the inventive concept** of storing the time code at the detected time of said marker and holding said material data which are played back from said tape-shaped recording medium when said marker is detected so that an edit list of said material data is made out by using said time codes stored according to said markers and said material data **of Group IV**.

Invention II has unique inventive concept such as making an access to said tape-shaped recording medium at a lower access speed than that of said fast access means and reading out said material data at the position coincident with the recorded one of the marker, which data are replaced with said approximate material data incorporated in said storage means and in which the editing operation is carried out using said material data updated **which is different from the inventive concept** of registering said material data, read out from said tape-shaped recording medium according to the detection of said marker by said fast access means, onto a given file and for making an edit list of said material data using said material data displayed **of Group I or different from the inventive concept** of registering said marker detected by said fast access means onto a give file and making out an edit list of said material data on the basis of said marker registered on said file **of Group III or different from the inventive concept** of storing the time code at the detected time of said marker and holding said material data which are played back from said tape-shaped recording medium when said marker is detected so that an edit list of said material data is made out by using said time codes stored according to said markers and said material data **of Group IV**.

Invention III has unique inventive concept such as registering said marker detected by said fast access means onto a give file and making out an edit list of said material data on the basis of said marker registered on said file **which is different from the inventive concept** of registering said material data, read out from said tape-shaped recording medium according to the detection of said marker by said fast access means,

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onto a given file and for making an edit list of said material data using said material data displayed **of Group I or different from the inventive concept** of making an access to said tape-shaped recording medium at a lower access speed than that of said fast access means and reading out said material data at the position coincident with the recorded one of the marker, which data are replaced with said approximate material data incorporated in said storage means and in which the editing operation is carried out using said material data updated **of Group II or different from the inventive concept** of storing the time code at the detected time of said marker and holding said material data which are played back from said tape-shaped recording medium when said marker is detected so that an edit list of said material data is made out by using said time codes stored according to said markers and said material data **of Group IV**.

Invention IV has unique inventive concept such as storing the time code at the detected time of said marker and holding said material data which are played back from said tape-shaped recording medium when said marker is detected so that an edit list of said material data is made out by using said time codes stored according to said markers and said material data **which is different from the inventive concept** of registering said material data, read out from said tape-shaped recording medium according to the detection of said marker by said fast access means, onto a given file and for making an edit list of said material data using said material data displayed **of Group I or different from the inventive concept** of making an access to said tape-shaped recording medium at a lower access speed than that of said fast access means and reading out said material data at the position coincident with the recorded one of the marker, which data are replaced with said approximate material data incorporated in said storage means and in which the editing operation is carried out using said material data updated **of Group II or different from the inventive concept** of registering said marker detected by said fast access means onto a give file and making out an edit list of said material data on the basis of said marker registered on said file **of Group III**.

3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

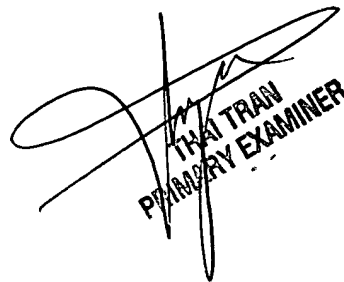
Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ


THAI TRAN
PRIMARY EXAMINER